

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VIESTE, LLC ET AL.,

Plaintiffs,

v.

HILL REDWOOD DEVELOPMENT, LTD. ET
AL.,

Defendants.

No. C-11-80024 JSW (DMR)

(Related Case: No. C-09-4024 JSW)

**ORDER DENYING AS MOOT
PLAINTIFFS' MOTION FOR
CONTEMPT AND TO COMPEL
COMPLIANCE WITH A DOCUMENT
SUBPOENA**

TO ALL PARTIES AND COUNSEL OF RECORD:

The Court is in receipt of the March 11, 2011 letter submitted by Plaintiffs Vieste, LLC et al. regarding Plaintiffs' Motion for Contempt and to Compel Compliance with a Document Subpoena (Docket No. 1), in which Plaintiffs indicated that if they were unable to resolve the issue presented in their motion with third party Avraham Zeigermann by March 21, 2011, they would so advise the Court. *See* Docket No. 6. As the Court has not received notice that Plaintiffs were unable to resolve the issue presented in their motion, Plaintiffs' motion is therefore DENIED as moot. Accordingly, the undersigned recommends that the action be dismissed without prejudice.

IT IS SO ORDERED.

Dated: April 15, 2011

